

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION
Case No. 1:16-cv-1174

NORTH CAROLINA MUTUAL LIFE)
INSURANCE COMPANY,)
a North Carolina corporation,)

Plaintiff,)

vs.)

STAMFORD BROOK CAPITAL,)
LLC, a Delaware limited liability)
company, *et al.*)

Defendants.)

MOTION TO DISMISS
Rules 9(b) and 12(b)(6)

Defendants Forefront Capital Holdings, LLC; Stamford Brook Capital, LLC; Bradley Cole Reifler; and Michael Flatley (collectively, the “Forefront Defendants”) hereby move, pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss certain claims against them for failure to state a claim upon which relief can be granted. Specifically, the Forefront Defendants seek dismissal of Count IV (Breach of Fiduciary Duty), Count V (Constructive Fraud), Count VI (Actual Fraud), and Count VII (Unfair and Deceptive Trade Practices). The accompanying memorandum sets forth the arguments and authorities supporting this motion.

This the 26th day of October, 2016.

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CERTIFICATE OF SERVICE

I hereby certify that on October 26th, 2016, I electronically filed the foregoing document with the Clerk using the CM/ECF system which will send notification to counsel of record as follows:

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This the 26th day of October, 2016.

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